

REMARKS

Claims 1-20 are pending in this application. Claims 1, 16, and 19 are the independent claims. Claims 1, 16, and 19 are amended. Example support for the claim 1, 16, and 19 amendments may be found in page 3 of the specification. Reconsideration and allowance of the present application are respectfully requested.

Rejections under 35 U.S.C. §103 – Mogenis in view of Maes

Claims 1-2, 13-17, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Pub. No. 6,466,258 to Mogenis et al. ("Mogenis") in view of U.S. Patent Pub. No. 6,016,476 to Maes et al. ("Maes"). The Applicants respectfully traverse this rejection for the reasons detailed below.

i. Mogenis does not teach or suggest the "requesting" step of claim 1

Amended claim 1 requires, *inter alia*, "requesting a client to provide a client identifier during a client contact, the client identifier corresponding with a financial record in a database." At least this feature is not taught or suggested by Mogenis, Maes, and/or a combination of thereof.

Mogenis discloses a 911 real time emergency response system. More specifically, the system includes audio sensors, video sensors, and other types of sensors (22, 24, 26) located at a customer premises (12). (Mogenis FIG. 1; col. 3, lns. 8-24.) The sensors (22, 24, 26) are connected to a controller (28) which transmits the signals from the sensors (22, 24, 26) to a security center (14). (Id. at col. 3, lns. 24-39.) The security center (14) includes a data source (210) and a recording database (212). (Id. at FIG. 2; col. 5, lns. 1-13.) The system is initiated upon receipt of a "declaration of an emergency," which is generated automatically by a signal, or by a telephone warning. (Id. at col. 3, lns. 54-67.) The sensors (22,

24, 26) in the system allow the security center (14) to record audio and video from the customer premises (12). (Id. at col. 4, lns. 47-65.)

Mogenis does not teach and/or suggest the above illustrated "requesting" step of claim 1. The Examiner (i) is reading the "requesting" step of claim 1 on the sending a "declaration of an emergency" procedure in Mogenis, and (ii) is reading the "client identifier" of claim 1 on the "declaration of an emergency" in Mogenis. However, Mogenis does not teach or suggest these features for at least two reasons. First, the system in Mogenis is initiated in response to a "declaration of emergency" that is either (1) generated as a signal, or (2) a telephonic warning. A "declaration of emergency" is made independently during an emergency situation, and is therefore not requested. In contrast, in claim 1 the client identifier is requested from a client. Therefore, the emergency response system in Mogenis does not request a customer for an identifier corresponding to a record in the recording database (212) of the security center (14). Secondly, the "declaration of emergency" in Mogenis does not correspond with a particular record in the recording database (212) of the security center (14). The declaration of emergency is simply an initiation signal. In contrast, the client identifier in claim 1 corresponds with a financial record in a database. As a result, Mogenis does not teach or suggest "requesting" a customer to provide an identifier during a client contact with the client, the identifier corresponding with a record in the recording database (212). Therefore, Mogenis does not disclose or suggest the "requesting" step recited in claim 1.

Furthermore, Maes does not teach or suggest the above discussed deficiency of Mogenis. In Maes, verification data provided by a user (step 102) corresponds to a PDA security protocol and is unrelated to stored credit card numbers from different sources. (Maes col. 3, lns. 53-76; col. 8, lns. 13-27.) In contrast, the

"requesting" step recited in claim 1 requires that the client identifier corresponding with a financial record in a database. Accordingly, Mogenis in view of Maes fails to render claim 1 obvious.

ii. Mogenis does not teach or suggest the "recording" step of claim 1

Amended claim 1 also requires, *inter alia*, "recording at least a portion of the client contact with the client as an audio file." In addition to the abovementioned argument, Applicants further submit that this feature is also not taught or suggested by Mogenis, Maes, and/or a combination of thereof.

As previously discussed, the sensors (22, 24, 26) of the system in Mogenis allow the security center (14) to record audio and video from the customer premises (12). (Id. at col. 4, lns. 47-65.) The sensors (22, 24, 26) do not record the telephone warning that initiates the sensors. (Id. at col. 3, lns. 54-67.)

Mogenis does not disclose the above illustrated "recording" step of claim 1. The Examiner is reading the "recording" step in claim 1 on the audio and video recording step in Mogenis. However, the sensors (22, 24, 26) in Mogenis allow the recording database (212) to record audio and images in the customer premises (12), not any portion of the telephone warning reporting the "declaration of emergency." In contrast, the abovementioned step of claim 1 records at least a portion of the client contact with the client as an audio file. As a result, the sensors (22, 24, 26) in Mogenis are not recording at least a portion of the telephone warning from the customer as an audio file. Therefore, Mogenis does not disclose or suggest the "recording" step recited in claim 1.

Furthermore, Maes does not disclose or suggest the above discussed deficiency of Mogenis. In Maes, an acoustic processor module (16) may receive audio versions of the verification data, but said audio is never recorded. (Maes col. 8, lns. 28-49.) In contrast, the "recording" step recited in claim 1 requires a

recording of at least a portion of the client contact with the client as an audio file. Accordingly, Mogenis in view of Maes fails to render claim 1 obvious.

Applicants further submit that dependent claims 2 and 13-15 are allowable at least by virtue of their dependency from claim 1. Claims 16 and 19 are separate independent claims from claim 1. Claims 16 and 19 should be interpreted solely based on the limitations set forth therein. However, independent claims 16 (and its dependent claim 17) and 19 (and its dependent claim 20) are allowable for at least reasons somewhat similar to those set forth above with regard to claim 1. Therefore, Applicants respectfully requests that this art grounds of rejection of these claims under 35 U.S.C. § 103 be withdrawn.

**Rejections under 35 U.S.C. §103 – Mogenis in view of Maes,
further in view of various other references**

The remaining claims (3-12, 18, and 20) stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mogenis in view of Maes, further in view of various combinations of: U.S. Patent Pub. No. 5,974,004 to Dockes et al. ("Dockes"); U.S. Patent Pub. No. 6,226,672 to DeMartin et al. ("DeMartin"); U.S. Patent Pub. No. 6,466,258 to Kelly et al. ("Kelly"); and U.S. Patent Pub. No. 6,466,258 to Akagiri et al. ("Akagiri").

These rejections are respectfully traversed in that even assuming *arguendo* that Dockes, DeMartin, Kelly, and/or Akagiri could be combined with Mogenis and/or Maes (which Applicants do not admit), Dockes, DeMartin, Kelly, and Akagiri suffer from the same deficiencies as Mogenis and Maes with respect to claim 1, 16, and 19. For at least these reasons, the rejection of the remaining claims over Dockes, DeMartin, Kelly, Akagiri, Mogenis, and Maes should be withdrawn.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

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